

REMARKS/ARGUMENTS

In the specification, the first paragraph beginning at Line 5 on Page 2 has been amended to update the cross reference of the Application with United State Patent Numbers.

Claims 1-24 are pending in this application. Claims 25-39 has been cancelled.

Claim Rejections – 35 U.S.C. § 103

The Patent Office rejected claims 1, 2, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over Cockrill et al. (“Cockrill”, U.S. Patent Number 6,473,740) in view of Gilchrist et al. (“Gilchrist”, U.S. Patent Number 5,768,505). Claims 3-6, 8-12, 15-18, 20-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cockrill in view of Gilchrist and further in view of Saulpaugh et al. (“Saulpaugh”, U.S. Patent number 5,590,334). Applicant respectfully traverses these rejections.

The present invention is directed to a universal information appliance management system which allows content/service providers to control distribution of the content or service. Importantly, the architecture of the present invention includes dynamic base objects (DBO). Each DBO implements a defined behavior, uses capabilities of another DBO, and provides a service to another object. The content/service may be encapsulated by dynamic base objects such as content DBOs. Additionally, transaction information may be encapsulated in a content DBO, which allows the content DBO to control the use of its encapsulated content. The transaction DBO may be utilized for containing transaction information such as billing information and security information, and transmitting transaction data.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

Further, “to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Claims 1 and 13 stand rejected under 35 U.S.C. §103(a). Claims 1 and 13 each recite elements of "an encapsulated transaction object" and "the transaction object is capable of transmitting data related to the stored occurrence of the utilization event over a network." As noted by the Examiner, Cockrill fails to teach, suggest, or disclose the element of "encapsulated transaction object" (Office Action, Page 3). Applicant maintains that Cockrill also fails to teach, suggest, or disclose "the *transaction object* is capable of transmitting data related to the stored occurrence of the utilization event over a network" (emphasis added) as recited in Claims 1 and 13. The Examiner has relied on Cockrill for the teaching of "transaction object," citing passages in Column 4, lines 35-56 and Column 7, lines 60-67 of Cockrill. The text from Cockrill cited by the Examiner discloses:

whether the customer is presently registered and authenticated with the network. If the customer is not presently registered, the network enables the customer to register with the network by providing identity and payment information. The identity information provided by the customer preferably includes a member identifier and a password for use with the network, as well as an electronic mail ("email") address. The payment information preferably includes a credit card number, or other information usable to charge the customer for purchases. As part of registration process, the network preferably verifies the provided payment information. At the conclusion of registration process, the registered customer is permitted to purchase the item. As a result of the purchase, the purchased item is provided to the customer, and a transaction record is created that identifies the customer, the merchant, and the amount of the purchase. The visual user interfaces for these registration and purchase processes are preferably cobranded with the trademarks of the merchant and the operator of the network, to indicate that both parties are collaborating in providing the purchasing experience enjoyed by the customer. (Column 4, lines 35-56)

As a result of the purchase, the purchased item is provided to the customer, and a transaction record is created that identifies the customer, the merchant, and the amount of the purchase. The visual user interfaces for these registration and purchase processes are preferably cobranded with the trademarks of the merchant and the operator of the network, to indicate that both parties are collaborating in providing the purchasing experience enjoyed by the user. (Column 7, lines 60-67)

Applicant respectfully submits that the cited passages of Cockrill merely describe a *transaction record* that is created as a result of a purchase. The *transaction record* in the cited passages of Cockrill is *a record of a certain transaction* (e.g. purchase) which identifies the customer, the merchant, and the amount of the purchase. However, in the present invention, a “transaction object” is a dynamic base object (DBO) which implements a defined behavior and uses capabilities of other DBO’s. Nowhere does Cockrill indicate that “transaction record” utilized by the transaction network implements a defined behavior such as “transmitting data” or uses capabilities of other objects. Thus, “transaction record” in Cockrill is not equivalent to “transaction object” in the present invention.

Furthermore, the ancillary reference, Gilchrist, does not make up for the defects of Cockrill. The Examiner states that Gilchrist teaches the steps of “encapsulated transaction object” as recited in Claims 1 and 13, citing in Column 3, lines 1-25 of Gilchrist which reads:

All messages received by a system in which the framework is implemented can be defined on this core object structure. Another set of objects and methods define the processing steps required for a mail server to process a message. A message is received as a class of message objects, which are assigned a message type that determines the subsequent processing steps to which the message object is subjected. For example, a message might be assigned to be a SNADS-class message type or an SMTP-class message type. As a message is processed, the objects of which it is comprised are changed, so that the message processing can be interrupted and then resumed without loss or duplication of processing steps. Because the mail server processing system is provided as an OOP framework, object methods that process message objects corresponding to particular e-mail protocols can be easily integrated into an implementation of the framework without changing the mail server system. Framework

users are assured that e-mail function object methods defined on the framework structure of classes and subclasses will operate with the core framework objects and methods to process messages in the desired manner. In this way, a framework user can define object methods that process new e-mail protocols to tailor the mail server system to their particular requirements without modifying the entire system and without recompiling the system programming. This reduces the time and cost needed to implement specific mail server changes to an e-mail gateway system. (emphasis added)

The Applicant disagrees. This passage of Gilchrist merely teaches an Object Oriented Program (OOP) framework in which a user can define object methods (for example, message objects and methods) that process *new e-mail protocols* to tailor the mail server system to their particular requirements without modifying the entire system or without recompiling the system programming. In other words, the OOP framework in Gilchrist allows a user to utilize any e-mail system message protocol standard through message objects and methods which define the processing steps required for a mail server to process a message. In contrary, the Applicant's management system allows content/service providers to control distribution of the content or service through content DBOs *encapsulating* content/service and transaction objects which contain transaction information.

Applicant respectfully submits that nowhere in Gilchrist is a "transaction object" which is encapsulated in content DBOs, or utilized for containing transaction information such as billing information and security information disclosed, suggested or taught. Thus, Gilchrist fails to teach, suggest, disclose "an encapsulated transaction object," or "the transaction object is capable of transmitting data related to the stored occurrence of the utilization event over a network," as recited in Claims 1 and 13.

Additionally, the other ancillary reference, Saulpaugh, fails to disclose, teach or suggest the above discussed elements recited in Claims 1 and 13. Saulpaugh merely teaches an object-oriented message passing system and a method for transferring messages between a client task and a server task with a high level of structural granularity and less memory requirement. The object-oriented message passing system

may create and maintain a set of message objects (which are associated with particular port objects) and port objects (which represent resources that correspond to services provided by a server task).

Therefore, Saulpaugh does not teach, suggest or disclose “encapsulated transaction object” or “the transaction object is capable of transmitting data related to the stored occurrence of the utilization event over a network,” as recited in Claims 1 and 13.

Accordingly, any of the references (Cockrill, Gilchrist, and Saulpaugh), either alone or in combination thereof, fails to teach, suggest, or disclose the above discussed elements claimed in independent Claims 1 and 13. Thus, Applicant respectfully submits that independent Claims 1 and 13 are nonobvious under 35 U.S.C. § 103. Removal of the pending rejections to Claims 1 and 13 under 35 U.S.C. §103 is respectfully requested. Claims 2-12 depend on Claim 1. Claims 14-24 depend on Claim 13. Claims 2-12, and 14-24 are believed to be allowable based on their dependence upon allowable base claims.

CONCLUSION

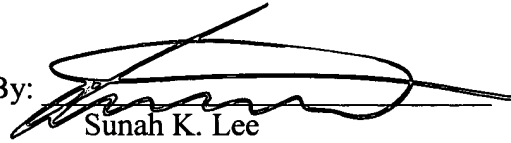
In light of the foregoing amendments and remarks, Applicant respectfully requests a timely Notice of Allowance.

Respectfully submitted,

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